

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> <u><b>05-688</b></u>
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>DATE FILED</b> <u><b>12/6/05</b></u>
	<b>:</b>	
<b>EVILLE VARGAS</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>DAVID ROMAN,</b>	<b>:</b>	<b>18 U.S.C. § 1951 (conspiracy to interfere</b>
<b>a/k/a “Rain”</b>	<b>:</b>	<b>with interstate commerce by robbery - 1</b>
<b>ARILY MONSERRAT</b>	<b>:</b>	<b>count)</b>
<b>JACQUELINE WHITE</b>	<b>:</b>	<b>18 U.S.C. § 1951 (interference with</b>
<b>GEORGE RIVERA,</b>	<b>:</b>	<b>interstate commerce by robbery - 4</b>
<b>a/k/a “Cono”</b>	<b>:</b>	<b>counts)</b>
<b>AGUSTIN SANCHEZ,</b>	<b>:</b>	<b>18 U.S.C. § 924(c)(1) (possessing a</b>
<b>a/k/a “AJ”</b>	<b>:</b>	<b>firearm during and in relation to a crime</b>
<b>JOHN DOE,</b>	<b>:</b>	<b>of violence - 4 counts)</b>
<b>a/k/a “Polo”</b>	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

---

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times relevant to this indictment:

1. The following businesses were engaged in interstate commerce:
  - a. Emerald Deli, located at 3234 Emerald Street in Philadelphia,  
Pennsylvania.
  - b. K Laundromat, located at 2431 Castor Avenue in Philadelphia,  
Pennsylvania.
  - c. Philly Self Storage, located at 3100 C Street in Philadelphia, Pennsylvania.

## **THE ROBBERY CONSPIRACY**

2. From on or about April 26, 2004, through on or about July 12, 2004, in the Eastern District of Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,”  
ARILY MONSERRAT,  
JACQUELINE WHITE,  
AGUSTIN SANCHEZ, a/k/a “AJ,”  
GEORGE RIVERA, a/k/a “Cono,” and  
JOHN DOE, a/k/a “Polo”**

conspired and agreed, to commit robbery, which robbery would unlawfully obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, in that defendants EVILLE VARGAS, DAVID ROMAN, ARILY MONSERRAT, JACQUELINE WHITE, AGUSTIN SANCHEZ, GEORGE RIVERA, and JOHN DOE, conspired to unlawfully take and obtain personal property, including money, cigarettes, surveillance video tapes, and telephones, from the person and in the presence of others and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

## **MANNER AND MEANS**

3. It was part of this conspiracy that defendants EVILLE VARGAS, DAVID ROMAN, JACQUELINE WHITE, AGUSTIN SANCHEZ, GEORGE RIVERA, and JOHN DOE:

a. having planned the armed robberies, drove together in a vehicle to the businesses listed in paragraph 1 (the businesses) armed with weapons, including semiautomatic pistols, a sawed-off shotgun, and a rifle;

- b. entered the businesses and pointed guns;
  - c. threatened and intimidated the employees and patrons inside the businesses; took possession of cellular telephones to prevent their victims from calling the police or otherwise calling for help, and to otherwise avoid detection by law enforcement;
  - d. stole merchandise, cash, and personal property from the employees and patrons; and
  - e. fled from the businesses in a vehicle and divided the stolen merchandise, cash, and other property among themselves.
4. It was part of this conspiracy that defendant ARILY MONSERRAT provided information about the Emerald Deli, and her vehicle to defendant EVILLE VARGAS who used it with others to facilitate the commission of the robberies.

### **OVERT ACTS**

In furtherance of this conspiracy, in Philadelphia, in the Eastern District of Pennsylvania, defendants EVILLE VARGAS, DAVID ROMAN, ARILY MONSERRAT, JACQUELINE WHITE, AGUSTIN SANCHEZ, GEORGE RIVERA, and JOHN DOE, committed the following overt acts:

#### **Emerald Deli - April 26, 2004**

1. On or about April 26, 2004, defendants EVILLE VARGAS, DAVID ROMAN, and AGUSTIN SANCHEZ:
- a. obtained information about the Emerald Deli from defendant ARILY MONSERRAT, who provided her vehicle to be used in the robbery of the Emerald Deli;
  - b. drove together to the Emerald Deli, located at 3234 Emerald Street in

Philadelphia, Pennsylvania;

c. defendant ROMAN remained outside in the vehicle as a lookout and getaway driver;

d. defendants VARGAS and SANCHEZ entered the store carrying a semiautomatic pistol and a sawed-off shotgun, displayed the weapons to the employees, forced the employees into a back room of the store, and demanded money; and,

e. stole cash from the store's cash register, stole the store surveillance video tape, and fled.

**Emerald Deli - June 28, 2004**

2. On or about June 28, 2004, defendants EVILLE VARGAS, DAVID ROMAN, and JOHN DOE:

a. obtained information about the Emerald Deli from defendant ARILY MONSERRAT;

b. drove together to the Emerald Deli, located at 3234 Emerald Street in Philadelphia, Pennsylvania;

c. defendant DOE remained outside in the vehicle as a lookout and getaway driver;

d. defendants VARGAS and ROMAN entered the store carrying a sawed-off shotgun and a rifle, displayed the weapons to the employees and a patron, and demanded money;

c. forced the employees and a patron onto the floor, and struck an employee in the head with a firearm; and,

e. stole cash from the store's cash register, and fled.

### **K LAUNDROMAT**

3. On or about July 4, 2004, defendants EVILLE VARGAS, DAVID ROMAN, GEORGE RIVERA, JACQUELINE WHITE, and JOHN DOE:

- a. drove together to the K Laundromat, located at 2431 Castor Avenue in Philadelphia, Pennsylvania;
- b. defendant DOE remained outside in the vehicle as a lookout and getaway driver;
- c. entered the store carrying a sawed-off shotgun, a rifle, and two semiautomatic pistols, displayed the weapons to the employee and patrons, and demanded money;
- d. forced the employee and patrons onto the floor; and
- e. stole cash from the store's office; and stole a walkman, cellular telephone, wallet, driver's license, American Express card, and cash from the patrons, and fled.

### **Philly Self Storage**

4. On or about July 12, 2004, defendants EVILLE VARGAS, DAVID ROMAN, and JACQUELINE WHITE:

- a. drove together to Philly Self Storage, located at 3100 C Street in Philadelphia, Pennsylvania;
- b. defendant WHITE remained outside in the vehicle as a lookout and getaway driver;
- c. defendants VARGAS and ROMAN entered the store carrying a sawed-off shotgun, displayed the weapon to the employee, and demanded money; and,

d. stole cash from the store's office; and cash and cigarettes from the employee, and fled.

All in violation of Title 18, United States Code, Section 1951(a).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1.a and 3 of Count One are incorporated here.
2. On or about April 26, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/ "Rain,"  
AGUSTIN SANCHEZ, a/k/a "AJ," and  
ARILY MONSERRAT**

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants VARGAS, ROMAN, SANCHEZ, and MONSERRAT unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash and the store surveillance video tape, from the person or in the presence of employees of the Emerald Deli, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing firearms at the employees, forcing the employees into a back room, and demanding money.

In violation of Title 18, United States Code, Sections 1951 and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 26, 2004, in Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN,  
a/k/a “Rain,” and  
ARILY MONSERRAT**

knowingly carried and used, and aided and abetted the use and carrying of, a firearm, that is, a loaded handgun and a short-barreled shotgun, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.



**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1.a and 3 of Count One are incorporated here.
2. On or about June 28, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,”  
JOHN DOE, a/k/a “Polo,” and  
ARILY MONSERRAT**

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendant VARGAS, ROMAN, DOE, and MONSERRAT unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, in the presence of employees and a patron of the Emerald Deli, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing the firearms at the employees and patron, ordering the employees and patron onto the floor, striking an employee in the head with a firearm, and demanding money.

In violation of Title 18, United States Code, Sections 1951 and 2(a).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 28, 2004, in Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,”  
JOHN DOE, a/k/a “Polo,” and  
ARILY MONSERRAT**

knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a short-barreled shotgun and a rifle, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1.b and 3 of Count One are incorporated here.
2. On or about July 4, 2004, in Philadelphia, in the Eastern District of

Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,”  
GEORGE RIVERA, a/k/a “Cono,”  
JACQUELINE WHITE, and  
JOHN DOE, a/k/a “Polo,”**

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants VARGAS, ROMAN, RIVERA, WHITE, and DOE, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, a walkman, a cellular telephone, a wallet, a driver’s license, and an American Express card, from the person of and in the presence of an employee and patrons of K Laundromat, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing firearms at the employee and patrons, ordering the employee and patrons onto the floor, and demanding money.

In violation of Title 18, United States Code, Sections 1951 and 2(a).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 4, 2004, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,”  
GEORGE RIVERA, a/k/a “Cono,”  
JACQUELINE WHITE, and  
JOHN DOE, a/k/a “Polo,”**

knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a short-barreled shotgun, a rifle, and two semiautomatic pistols, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1.c and 3 of Count One are incorporated here.
2. On or about July 12, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,” and  
JACQUELINE WHITE**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants VARGAS, ROMAN, and WHITE unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, money and cigarettes, from the person of an employee of Philly Self Storage, and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property, by brandishing a firearm, pointing a firearm at the employee, and demanding money.

In violation of Title 18, United States Code, Sections 1951 and 2(a).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 12, 2004, in Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**EVILLE VARGAS,  
DAVID ROMAN, a/k/a “Rain,” and  
JACQUELINE WHITE**

knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a short-barreled shotgun, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

**A TRUE BILL:**

---

**GRAND JURY FOREPERSON**

---

---

**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**